

REMARKS

Claims 2-13, as amended, remain herein. Claims 6-8 are presently withdrawn from consideration. Claim 1 has been cancelled without prejudice. New claim 13 has been added. Claim 2 has been rewritten in independent form. Claims 3-5, 9, 11 and 12 have been amended to depend from claim 2. Support for the amendments and the new claim may be found throughout the specification (see, e.g., page 7, lines 9-12; compounds (5), (6), (10), (11), (25)-(32), (37), (38) and (40)-(48) at pages 11, 13 and 14 of the specification).

1. Claims 1-5 and 9-12 were rejected under 35 U.S.C. § 112, first paragraph. Claim 1, which included the limitation cited in this rejection, has been cancelled, thereby mooted this rejection, withdrawal of which is respectfully requested.

2. Claims 1-5 and 9-12 were rejected under 35 U.S.C. § 112, second paragraph. The Office Action stated that the term "secondary or tertiary cycloalkyl group" is indefinite.

A claim term is not indefinite if the meaning of the claim term is discernible. MPEP § 2173.02; Bancorp Services, L.L.C. v. Hartford Life Ins. Co., 359 F.3d 1367, 1372 (Fed. Cir. 2004). The test for definiteness under 35 U.S.C. § 112, second paragraph, is whether "those skilled in the art would understand what is claimed when the claim is read in light of the specification." MPEP § 2173.02; Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1576 (Fed. Cir. 1986). If one skilled in the art is able to ascertain the meaning of the terms in light of the specification, 35 U.S.C. 112, second paragraph, is satisfied. MPEP § 2173.02.

In this case, a person of ordinary skill in the art knows that a secondary alkyl group includes one or more carbon atoms linked to two other carbon atoms. Examples of secondary

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cycloalkyl groups include cyclopentane or cyclohexane (see, e.g., compounds (10) and (38) at pages 11 and 14 of applicant's specification). A tertiary alkyl group includes one or more carbon atoms linked to three other carbon atoms. Examples of tertiary cycloalkyl groups include norbornane or adamantane (see, e.g., compounds (5) and (27) at pages 11 and 13 of applicant's specification).

Thus, a person of ordinary skill in the art would understand the meaning of the terms. Applicant respectfully requests reconsideration and withdrawal of this rejection

Accordingly, this application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28955.4034). If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicant's undersigned attorney at the number listed below.

Respectfully submitted,

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